

UPI

9 Apr 80

STAT

WASHINGTON (UPI) - ATTORNEY GENERAL BENJAMIN CIVILETTI SAID TODAY HE HAS ENDORSED A PROPOSED AMENDMENT TO THE FREEDOM OF INFORMATION ACT PERMITTING THE CIA AND FBI TO "CERTIFY" CERTAIN MATERIAL AS SECRET AND BAR ITS REVIEW BY FEDERAL COURTS.

UNDER THE PROPOSAL, CIA DIRECTOR STANSFIELD TURNER AND FBI DIRECTOR WILLIAM WEBSTER WOULD BE PERMITTED TO EXEMPT RAW INTELLIGENCE DATA FROM RELEASE UNDER THE ACT, CIVILETTI TOLD A LUNCHEON OF THE AMERICAN SOCIETY OF NEWSPAPER EDITORS.

UNDER THE PROPOSED AMENDMENT, CIVILETTI SAID, WHERE THE INTELLIGENCE AGENCIES MADE SUCH A CERTIFICATION, "THAT CERTIFICATION IS BINDING ON THE COURT."

ALL OTHER INTELLIGENCE FILES "MUST BE PRODUCED FOR THE COURT FOR REVIEW" TO DETERMINE WHICH MATERIAL IS EXEMPT, HE SAID.

THE PROPOSAL APPARENTLY WOULD ALLOW THE CIA AND FBI TO FORECLOSE RELEASE OF MATERIALS NOT PREVIOUSLY CATEGORIZED AS CLASSIFIED, AND LEAVE PERSONS CHALLENGING DECISIONS UNDER THE ACT WITH NO LEGAL RECOURSE.

CIVILETTI SAID SOME FREEDOM OF INFORMATION ACT REQUESTS FOR DATA FROM THE CIA HAVE FORCED THE AGENCY TO RESEARCH "HUNDREDS OF THOUSANDS OF PAGES" OF RAW DATA BEFORE DETERMINING WHICH MATERIAL CAN BE RELEASED.

"IT IS AN ENORMOUS WASTE OF TIME," CIVILETTI SAID.

HE SAID INTELLIGENCE AGENCIES ALSO ARE CONCERNED BECAUSE REQUESTS FOR THEIR FILES HAVE CAUSED FOREIGN GOVERNMENTS TO BECOME MORE HESITANT TO COOPERATE FOR FEAR THEIR INTELLIGENCE WILL BE MADE PUBLIC.

BARRING FEDERAL JUDGES FROM OVERTURNING CIA AND FBI DECISIONS IN CERTAIN CASES WOULD EASE THOSE FEARS, HE INDICATED.

UPI 04-09 05:42 PES